

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 1:16-cr-120;
)	
)	
WILSON ALFONSO OVERTON,)	The Honorable Liam O'Grady
)	
Defendant.)	Hearing Date: September 29, 2020
)	

**UNITED STATES' MOTION TO DISMISS
PETITION ON SUPERVISED RELEASE VIOLATIONS**

The United States of America respectfully requests the Court dismiss the Petition on Supervised Release Violations of the Defendant, Wilson Alfonso Overton, submitted to this Court by U.S. Probation Officer Raymond M. Hess on May 29, 2020. ECF No. 37. A hearing in this matter is currently scheduled for September 29, 2020.

On September 4, 2020, the United States sought a continuance to investigate two issues: (1) the violations alleged in the Petition; and, (2) the possibility that the Defendant intimidated a witness to prevent the witness from testifying in the Defendant's state court matter. *See* ECF No. 46. The Court continued the hearing to September 29, 2020. ECF No 47.

After investigating the two issues, the United States does not believe it can adduce sufficient evidence to prove the alleged violations at this time. Additionally, the investigation to date has not substantiated any witness intimidation on the part of the Defendant.

CONCLUSION

The United States herein moves this Honorable Court to dismiss the May 29, 2020 Petition for the reasons stated above. The United States believes a dismissal is the most appropriate action at this time based upon the current state of the evidence.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2020, I caused a copy of the foregoing memorandum to be filed with the Clerk of Court using the CM/ECF system, which will automatically generate a Notice of Electronic Filing (NEF) to the counsel of record.

I further certify that, on September 25, 2020, I sent a copy of the foregoing memorandum to the Probation Officer assigned to this matter:

Daniel D. Gillespie, Jr.
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